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411A Highland Ave
Somerville, MA 02144-2516
67032-58289591@requests.muckrock.com

→ EDIR status

RECEIV

SEP 24 2019

Office of Info...

Department of Justice, Executive Office for Immigration Review
FOIA Office
Suite 11050
1425 New York Avenue Northwest
Washington, DC 20530-0001

September 9, 2019

This is a follow up to request number 2019-14540.

To Whom It May Concern:

I wanted to follow up on the following Freedom of Information Act request, copied below, and originally submitted on Jan. 6, 2019. Please let me know when I can expect to receive a response. You had assigned it reference number #2019-14540.

Thanks for your help, and let me know if further clarification is needed.

Filed via MuckRock.com
E-mail (Preferred): 67032-58289591@requests.muckrock.com

For mailed responses, please address (see note):
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On Aug. 8, 2019:

Subject: RE: Freedom of Information Act Request #2019-14540

The agency's response violates the FOIA. The agency has improperly invoked Exemption 6. While some of the documents in Judge Schools' hiring records might contain privacy information which could be redacted, there is no reason to decline to acknowledge whether the agency even has hiring records for Judge Schools.

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The agency also does not explain why that exemption would apply to any agency e-mails that mention "Shelly Schools" even in the years prior to Judge Schools being hired as an IJ.

The agency has not met its burden to apply the GLOMAR standard and it has unlawfully withheld responsive records without legal authority to do so.

On July 31, 2019:

Subject: RE: Freedom of Information Act Request #2019-14540
Dear Mr. Hoppock:

The agency's response was delivered via certified mail on July 29, 2019 to the address on record for this request.

Sincerely,

Shelley M. O'Hara
Attorney Advisor (FOIA)
(703) 605-0275

On July 25, 2019:

Subject:
The request has been rejected, with the agency stating that it can neither confirm nor deny the existence of the requested documents.

On July 1, 2019:

Subject: RE: Freedom of Information Act Request: IJ Shelly Schools Hiring Records
Dear Mr. Hoppock:

Thank you for your inquiry. A search has been conducted and documents are being reviewed for responsiveness. For your information, FOIA requests are processed in the order received absent a grant of a request for expedited processing. Your request is categorized as "complex" and is number 17 on our "complex" docket.

Sincerely,

Shelley M. O'Hara
Attorney Advisor (FOIA)
(703) 605-0275

On July 1, 2019:

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Subject: RE: Freedom of Information Act Request: IJ Shelly Schools Hiring Records
The FOIA control number is 2019-14540.

Thank you.

Matthew L. Hoppock

On Jan. 6, 2019:

Subject: Freedom of Information Act Request: IJ Shelly Schools Hiring Records

To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

1. The records related to the process of hiring Immigration Judge Shelly Schools.
2. The e-mail messages to or from any EOIR employee from January 1, 2015 and January 8, 2018 mentioning the word "Shelly Schools"

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Matthew Hoppock

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